

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

– against –

PHILIP KENNER, et al.,

Defendants.

ORDER

13 CR 0607 (JFB) FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ NOV 20 2014 ★

LONG ISLAND OFFICE

JOSEPH F. BIANCO, District Judge:

For the reasons set forth in detail on the record on November 18, 2014, defendant Philip Kenner's motion that he be released on bail (on an unsecured bond with no property or co-signors, with home detention and electronic monitoring) is denied. Having carefully considered the factors under the Bail Reform Act, the Court concludes that the government has met its burden of demonstrating, by a preponderance of the evidence, that Kenner should be detained pending trial as a risk of flight due to, *inter alia*, the substantial sentence that he potentially faces if convicted, the strength of the government's case, his past business dealings in Mexico,¹ his lack of strong ties to the United States (financial, familial, or otherwise) at this point in time, and statements of sources (proffered by the government) about defendant's past statements about his ability to flee on a moment's notice.

SO ORDERED,

JOSEPH F. BIANCO
UNITED STATES DISTRICT JUDGE

Dated: November 20, 2014
Central Islip, New York

¹ For purposes of the bail hearing, the Court accepted defendant's statement that he does not have a Mexican passport.